

UNITED STATES COURT OF MILITARY COMMISSION REVIEW
before F. Williams, D. Conn, and C. Thompson

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)	
)	MOTION TO ATTACH
)	
)	CMCR CASE NO. 09-001
)	
UNITED STATES)	Tried at Guantanamo, Cuba on
	)	7 May 2008,
	)	15 August 2008,
Appellee	)	24 September 2008,
	)	27 October – 3 November 2008
v.)	
	)	Before a Military Commission convened by
ALI HAMZA AHMAD SULIMAN	)	Hon. Susan Crawford
AL BAHLUL)	
	)	Presiding Military Judge
Appellant.	)	Colonel Peter Brownback, USA (Ret.)
	)	Colonel Ronald Gregory, USAF
)	
)	
	)	DATE: 16 October 2009
)	
)	
)	

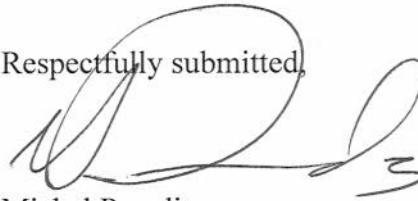
**TO THE HONORABLE, THE JUDGES OF THE COURT OF MILITARY
COMMISSION REVIEW**

COMES NOW Appellant and respectfully requests that this Court attach the following document to Appellant's Brief in Opposition to Appellee's Motion for a Stay filed concurrently herewith:

Email Exchange between CAPT Edward White and Michel Paradis on 9 October 2009

This document is necessary for this Court's consideration of the factual background of Appellee's Motion for a Stay.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michel Paradis', with a stylized flourish at the end.

Michel Paradis
MAJ Todd E. Pierce, USAR
Capt. Scott Medlyn, USAF
Appellate Defense Counsel
1099 14th Street NW, Suite 2000E
Washington, DC 20005
1.202.761.0631
michel.paradis@osd.mil

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was sent via e-mail to CAPT Edward White on the 16th day of October 2009.

Dated: 16 October 2009

A handwritten signature in cursive script that reads "Todd E. Pierce".

MAJ Todd E. Pierce, USA
Appellate Defense Counsel
1099 14th Street NW, Suite 2000E
Washington, DC 20005
1.202.761.0133 x118
todd.pierce@osd.mil

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Paradis, Michel Mr OSD OMC Defense

From: White, Edward S CAPT OSD OMC Prosecution
Sent: Friday, October 09, 2009 12:33 PM
To: Paradis, Michel Mr OSD OMC Defense
Subject: RE: Bahlul Discovery (U)
Signed By: [REDACTED]

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Yes, Michel. I saw that the House had passed the NDAA, and assume the Senate will take it up next week (they already passed the Defense Appropriation Act, and won't want to leave the NDAA lingering). We'll have to reassess the stay question in light of the developments. I'd guess there is a decent chance we WON'T seek a stay, but we'll have to think about it.

Regards, Ed

-----Original Message-----

From: Paradis, Michel Mr OSD OMC Defense
Sent: Friday, October 09, 2009 11:30 AM
To: White, Edward S CAPT OSD OMC Prosecution
Subject: RE: Bahlul Discovery (U)

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Ed,

Great to hear, I will keep an eye out for it.

I suppose you also saw the new MCA, which is likely to be enacted in the next week or so. Looks like we are staying in the CMCR, so I was curious if you were still intending to seek a continuance. The changes seem relatively modest, at least insofar as they will affect this case, so let me know what your current thinking is. My preference at this point would just be to file a round of surreplies. I am frankly not sure that there is much we would want to add in light of the new law, so don't see why briefing couldn't be done by the end of November or so.

Let me know your thoughts one way or another.

Hope you have a good long weekend.

Best,
Michel

Michel Paradis
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MOB: 1.571.309.4320

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-----Original Message-----

From: White, Edward S CAPT OSD OMC Prosecution
Sent: Friday, October 09, 2009 11:17 AM
To: Paradis, Michel Mr OSD OMC Defense
Subject: Bahlul Discovery (U)

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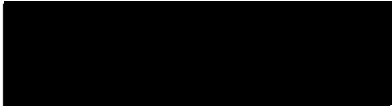
Michel,

Good news. I just got a call from CIA telling me that they would clear release of the JTF-GTMO materials -- with some redactions in the DIMS records. I had already obtained the necessary clearance from DIA & NSA. I will need to wait to get the actual email on SIPR from the Agency, which they told me I would get this afternoon, and then I need to figure out how to make the required deletions -- but, I expect to be sending you something in the next day or two, so keep an eye on your SIPR account.

Regards,

Ed

Edward S. White
CAPT, JAGC, USN
Chief, Appellate, Research & Training Section Office of the Chief Prosecutor
DoD Office of Military Commissions



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